

IN THE DRAWINGS

A replacement sheet of Fig. 1 and a Letter to the Official Draftsman are attached.

### REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

As required in the office action, a proposed change to Fig. 1, a replacement sheet and a Letter to the Official Draftsman are attached.

Claims 1-22 have been canceled in favor of new claims 23-41 which clarify and highlight patentable features of the invention. The new claims have been drafted to overcome the rejections under 35 USC 112, second paragraph. The new claims are supported by the original claims and application page 11, line 4 et seq.

Claims 1-4, 9, 11-14, 19 and 20 were rejected under 35 USC 102(b) as anticipated by Gerson et al. (US 5,657,418). Claims 5-8, 10, 15-18, 21 and 22 were rejected under 35 USC 103(a) as obvious over the admitted prior art in view of Gerson et al.

To the extent that these rejections may be applied to the new claims, the Applicants respectfully traverse.

The office action relies on Figs. 9 and 10 of Gerson. The circuit of Fig. 9 receives speech coded signal (step 1001 of Fig. 10) and extracts speech coding information on a frame by frame basis (step 1002). Receiver 900 determines the coding mode (step 1003) and interprets the excitation gain information using the appropriate coding mode (step 1004). The receiver applies the

index value represented by the excitation gain value to the information contained in the determined coding mode information to thereby determine the appropriate gain values to be utilized for the excitation sources. The system uses lag parameters as described in col. 4, line 46 to col. 5, line 51, col. 6, line 19 to col. 7, line 51 and col. 8, lines 24-67.

The office action relies on the admitted prior art for a teaching of receiving data containing coded transmission parameters, a lag parameter, a fixed excitation parameter, and a gain parameter made up of an adaptive excitation gain and a fixed excitation gain; decoding the transmitted parameters; and controlling the ratio of the adaptive excitation and fixed excitation gain as "gain attenuation."

A general feature of new independent claims 23 and 38 includes, in code error compensation, when an error is detected in a first frame, to determine one of a lag parameter in the first frame or a lag parameter of a second frame previous to the first frame as an output lag parameter, based on variations in the lag parameter in the first frame. That is, the present invention utilizes a lag parameter of a frame in which an error is detected in code error compensation according to the variations in the lag parameter. A general feature of new independent claims 31 and 39 includes, when an error is detected in a frame and a gain parameter

is outside a predetermined range, to increase or decrease a gain parameter of a past frame by a predetermined ratio and to use the resulting gain parameter. Furthermore, a general feature of new independent claims 33 and 40 includes, in a frame where an error is detected, to make the proportion of an adaptive excitation gain parameter smaller than the proportion of a fixed excitation gain parameter. Amended independent claims 36 and 41 moreover recite setting an upper limit to a gain parameter in a normal frame following a frame with an error.

The above-noted features of the present invention provide an advantage of improving the quality of decoded speech.

In contrast to the above-noted features of the present claimed invention, Gerson discloses a speech coder which transmits excitation source gain information along with a coding mode indicator, where the coding mode indicator can be utilized to control which of a plurality of excitation sources is utilized in synthesizing speech. It is clear that the concept of the Gerson invention is different from that of the present invention.

It is submitted that nothing in Gerson or the admitted prior art discloses or suggests any of the above-noted features of the present invention or the advantages provided thereby.

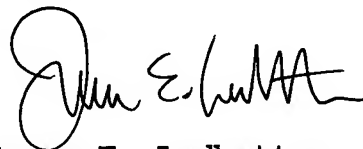
Thus, Gerson does not anticipate any of the new claims, and the combined teachings of the admitted prior art and Gerson fail to render obvious the subject matter of the new claims.

Given that none of the applied prior art of record teaches or suggests the specific features of the present claims, it is submitted that all pending claims are allowable over the individual or combined teachings of the prior art of record. Thus, the pending rejections are unwarranted and should be withdrawn.

Accordingly, all pending issues having been resolved, it is submitted that this application is in condition for allowance. A Notice of Allowance is respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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